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12 *Attorneys for Plaintiff Maria Quijano*

13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 MARIA QUIJANO, an individual,
16 Plaintiff,

17 vs.

18 GEICO ADVANTAGE INSURANCE
19 COMPANY, DOES I-V, and ROE
20 CORPORATIONS 1-V, inclusive,

21 Defendants.

22 Case No.: 2:20-cv-01464-KJD-BNW

23 **JOINT PROPOSED DISCOVERY PLAN
24 AND SCHEDULING ORDER**

25 Plaintiff, Maria Quijano (“Plaintiff”), by and through her counsel of record, the law firm
26 MAIER GUTIERREZ & ASSOCIATES, and defendant Geico Advantage Insurance Company
27 (“Defendant”) by and through their counsel of record, McCORMICK, BARSTOW, SHEPPARD, WAYTE &
28 CARRUTH, LLP, pursuant to Rule 26(f)(2) of the Federal Rules of Civil Procedure, hereby submit their
proposed Joint Discovery Plan and Scheduling Order (“Discovery Order”) with a special scheduling
review requested.

29 **FRCP 26(f) Conference.** On November 30, 2020, Julia M. Chumbler, Esq., as counsel for
30 Plaintiff, and Wade M Hansard, Esq., as counsel for Defendant, participated in a discovery and
31 scheduling conference (the “Conference”) to discuss all of the issues required by Federal Rule Civil
32 Procedure 26(f). The parties’ initial disclosures in this lawsuit will be made by December 14, 2020,

1 fourteen (14) days after the conference. The parties discussed potential settlement as well as future
2 settlement conference or mediation after discovery is exchanged.

3 The Parties now propose the following discovery plan:

4 1. **Discovery Cut-Off Date:** The proposed cut-off date for discovery shall be May
5 31, 2021, 180-days from the date of the Discovery Conference that occurred on
6 November 30, 2020.

7 a. **Special Scheduling Review:** Due to the recent substitution of
8 Plaintiff's counsel, Parties respectfully request the Court's permission to
9 modify the time for discovery from 180 days from the date of Defendant's
10 first responsive pleading to 180 days from the date of the Discovery
11 Conference. Accordingly, the parties request this Court's permission to
12 allow for a 180-day discovery schedule in this matter starting from the date
13 of the Discovery Conference on November 30, 2020.

14 2. **Amending the Pleadings and Adding Parties:** All motions to amend the
15 pleadings or to add parties shall be filed no later than March 2, 2021, ninety (90) days
16 prior to the proposed close of discovery.

17 3. **Fed. R. Civ. P. 26(a)(2) Disclosures (Experts):** Disclosures concerning
18 experts shall be made by April 1, 2021, sixty (60) days before the proposed discovery
19 cut-off date. Disclosures concerning rebuttal experts shall be made by May 3, 2021,
20 thirty (30) days after the initial disclosure of experts.

21 4. **Dispositive Motions:** The date for filing dispositive motions shall not be later
22 than June 30, 2021, thirty (30) days after the proposed discovery cut-off date. In the
23 event that the discovery period is extended from the discovery cut-off date set forth in
24 this proposed discovery plan and scheduling order, the date for filing dispositive
25 motions shall be extended to be not later than thirty (30) days from the subsequent
26 discovery cut-off date.

27 5. **Pretrial Order:** The date for filing the joint pretrial order shall not be later
28 than July 30, 2021, thirty (30) days after the cut-off for filing dispositive motions. In

1 the event that dispositive motions are filed, the date for filing the joint pretrial order
2 shall be suspended until thirty (30) days after the decision on the dispositive motions
3 or until further order of the court. In the further event that the discovery period is
4 extended from the discovery cut-off date set forth in this discovery plan and scheduling
5 order, the date for filing the joint pretrial order shall be extended in accordance with
6 the time periods set forth in this paragraph.

7. **Fed. R. Civ. P. 26(a)(3) Disclosures:** The disclosures required by Fed. R. Civ.
8 P. 26(a)(3), and any objections hereto, shall be included in the joint pretrial order.

9. **Alternative Dispute Resolution:** The parties discussed the possibility of
10 alternative dispute resolution. The parties agree to continue to discuss settlement and
11 explore the possibilities of an alternative dispute resolution as this case proceeds.

12. **Alternative Forms of Case Disposition:** The parties have discussed the
13 possibility of trial by the magistrate judge under 28 U.S.C. § 636(c) and Fed. R. Civ.
14 P. 73 and agree that this case is properly suited before the District Court.

15. **Electronic Evidence:** The parties do not at this time anticipate any issues
16 about disclosures or discovery of electronically stored information, if any, including
17 the form or forms in which it should be produced. The parties shall meet and confer
18 and otherwise work in good faith with respect to the production of electronically stored
19 information should any dispute arise.

20. **Interim Status Report:** The joint interim status report required by LR 26-3
21 shall be filed no later than May 18, 2021, or 60 days prior to the close of discovery in
22 the event that the discovery period is extended from the discovery cut-off date set forth
23 in this discovery plan and scheduling order.

24. **Extensions or Modifications of the Discovery Plan and Scheduling**
25 **Order:** Any stipulation or motion must be made pursuant to LR 26-4 and be supported
26 by a showing of good cause, no later than twenty-one (21) days before the subject
27 deadline.

28. // /

1 12. Subjects of Discovery. The parties agree that discovery may be taken on any
2 subjects permitted by the Federal Rules of Civil Procedure.

3 13. Discovery Phases. The parties do not believe it is necessary to conduct
4 discovery in phases.

5 14. Document Production. All documents produced in this action will be
6 delivered as either hardcopy documents or as single-page Tagged Image File Format
7 ("TIFF") or Portable Document Format ("PDF") images unless the requesting party
8 specifically requests that any responsive electronic documents be produced in native
9 format.

10 15. Protective Orders For Confidential Documents and/or Information. The
11 parties have discussed the need for a protective order for confidential documents and/or
12 information and will be working together to agree on the terms of a stipulated
13 protective order if needed.

14 DATED this 14th day of December 2020.

14 DATED this 14th day of December 2020.

15 MAIER GUTIERREZ & ASOCIASTE

15 McCORMICK, BARSTOW, SHEPPARD, WAYTE,
16 & CARRUTH, LLP

17 */s/ Julia M. Chumbler*

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18 Nevada Bar No. 9046
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17 */s/ Wade M. Hansard*

18 WADE M. HANSARD
18 Nevada Bar No. 13644
19 JONATHAN W. CARLSON, Esq.
19 Nevada Bar No. 10536
20 RENEE M. MAXFIELD, Esq.
20 Nevada Bar No. 12814

21 ORDER

21 IT IS ORDERED that the parties' proposed DPSO is GRANTED. However, the Court
22 notes under the Local Rules, the parties were required to have their Rule 26(f)
23 conference within 30 days after the first defendant appeared. LR 26-1(a). Here, that
24 was 8/6/2020. ECF No. 1. The parties' proposed DPSO was due 14 days later. LR
25 26-1(a). Thus, the parties' proposed DPSO is several months late, and they offer only a
26 thin justification for doing so. Further, the parties' proposed DPSO violates LR 26-1(a)
27 because it requires special scheduling review but does not say so "on its face." Instead,
28 special scheduling review is requested in the body of the proposed DPSO. Setting that
28 aside, the Court adopts the parties' schedule to allow them a 180-day discovery period.
28 But the Court instructs the parties that--given that they have unilaterally extended the
28 standard discovery period, measured from defendant's first appearance --the Court
28 is not inclined to grant additional extensions unless there are specific, compelling
28 reasons establishing good cause.

28 IT IS SO ORDERED

28 DATED: 2:53 pm, December 18, 2020



BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE

Lacy Kloeckner

From: Cheryl Schneider <Cheryl.Schneider@mccormickbarstow.com>
Sent: Monday, December 14, 2020 9:18 AM
To: Julia Chumbler; Lacy Kloeckner
Cc: Wade Hansard; Jonathan Carlson; Debbie DeArmond; Mandy Vogel
Subject: RE: Maria Quijano v. Geico
Attachments: Joint Proposed Discovery Plan and Scheduling Order.docx

Mr. Hansard, states, that the Joint Proposed Discovery Plan and Scheduling Order is fine except paragraph 10 states "May 2020" when it should be 2021. If you can make that change he gives permission to use his electronic signature to file same. Thank you.

Cheryl Schneider
Office Manager
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Las Vegas, NV 89113
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From: Julia Chumbler <jmc@mgalaw.com>
Sent: Monday, December 07, 2020 2:44 PM
To: Wade Hansard <Wade.Hansard@mccormickbarstow.com>; Lacy Kloeckner <lak@mgalaw.com>; Cheryl Schneider <Cheryl.Schneider@mccormickbarstow.com>
Subject: RE: Maria Quijano v. Geico
Importance: High

Good Afternoon,

Following up with the proposed scheduling order.

Best,

Julia M. Chumbler | Associate
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From: Julia Chumbler
Sent: Monday, November 30, 2020 12:57 PM
To: 'Wade Hansard' <Wade.Hansard@mccormickbarstow.com>; Lacy Kloeckner <lak@mgalaw.com>; Cheryl Schneider <Cheryl.Schneider@mccormickbarstow.com>
Subject: RE: Maria Quijano v. Geico

Good Afternoon,